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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,487	03/04/2002	Peter Schimitzek	2012	6831
7590 Striker Striker & Stenby 103 East Neck Road Huntington, NY 11743		07/26/2007	EXAMINER DESHPANDE, KALYAN K	
			ART UNIT 3623	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/070,487	SCHIMITZEK, PETER	
	Examiner	Art Unit	
	Kalyan K. Deshpande	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The following is a Final Office Action in response to the application filed May 9, 2007. Claims 1-15 are pending.

#### ***Response to Amendments***

2. Examiner acknowledges Applicants amendments to claims 1-15. Examiner acknowledges Applicants submission of a declaration and withdraws the previously asserted requirement to submit a new Oath or Declaration.

#### ***Response to Arguments***

3. Applicants' arguments filed on May 9, 2007 have been fully considered but are not found persuasive. Applicants argue i) the claims as amended satisfy the requirements of 35 U.S.C. 112 and 35 U.S.C. 101 and ii) Beasley fails to teach the present invention as now claimed.

In response to Applicants' argument the claims as amended satisfy the requirements of 35 U.S.C. 112 and 35 U.S.C. 101, Examiner respectfully disagrees. First, Examiner finds no amendments made in an attempt to satisfy 35 U.S.C. 101 and 35 U.S.C. 112 1<sup>st</sup> paragraph. The previously asserted rejections set forth that the present invention fails to produce useful, concrete, and tangible results. Applicants are requested to specifically point out which amendments were made in an attempt to satisfy these requirements or specifically point out reasons that the present invention as presented does satisfy these requirements. Second, although Examiner acknowledges Applicants extensive amendments to the claims, the amended claims as presented still are vague and indefinite. In summary of the 35 U.S.C. 112 2<sup>nd</sup>, the claim(s) are

Art Unit: 3623

narrative in form and replete with indefinite and functional or operational language. The structure that makes up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. Note the format of the claims in the patent(s) previously cited.

In response to Applicants' argument Beasley fails to teach the present invention as now claimed, Examiner respectfully disagrees. Applicants arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicants merely point out summaries of the Beasley patent without specifically pointing out differences between the claimed language of the present invention and the Beasley patent.

Examiner notes the following discussion of Official Notice taken from the MPEP:

To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b). See also *Chevenard*, 139 F.2d at 713, 60 USPQ at 241 ("[I]n the absence of any demand by appellant for the examiner to produce authority for his statement, we will not consider this contention."). A general allegation that the claims define a patentable invention without any reference to the examiner's assertion of official notice would be inadequate. If applicant adequately traverses the examiner's assertion of official notice, the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained. See 37 CFR 1.104(c)(2). See also *Zurko*, 258 F.3d at 1386, 59 USPQ2d at 1697 ("[T]he Board [or examiner] must point to some concrete evidence in the record in support of these findings" to satisfy the substantial evidence test). If the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding. See 37 CFR 1.104(d)(2). If applicant does not traverse the examiner's assertion of official notice or applicant's traverse is not adequate, the examiner should clearly indicate in the next Office action that the common knowledge or well-known in the art statement is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of official notice or that the traverse was

inadequate. If the traverse was inadequate, the examiner should include an explanation as to why it was inadequate. (MPEP § 2144.03(C))

Applicants are silent to Examiner's taking of Official Notice of feathers and thus have not "specifically point[ed] out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art." For these reasons, the features of "marketing and business people at a company include, but is not limited to, the various divisions, branches and headquarters", "types of materials and facilities include retail articles, merchandise and operating materials", "conditions include price, discount, charges, rebates etc." and "modular interface that does not impact the rest of the system" are taken to be admitted prior art because Applicant's traversal was inadequate.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-15 merely recite data structures consisting of a computer system, a control system, a goods management process and an integration system. The claimed structures are not embodied on a readable medium, and thus are not tangible. Additionally, they do not produce a repeatable real-world result, and thus fail the concrete and useful portion of the 35 USC 101 requirement.

Under the statutory requirement of 35 U.S.C. 101, a claimed invention must produce a useful, concrete and tangible result. For a claim to be useful, it must yield a

Art Unit: 3623

result that is specific, substantial, and credible (MPEP 2107). A concrete result is one that is substantially repeatable, i.e., it produces substantially the same result over and over again. In order to be tangible, a claimed invention must set forth a practical application that generates a real-world result, i.e., the claim must be more than a mere abstraction. Additionally, a claim may not preempt abstract ideas, laws of nature or natural phenomena nor may a claim preempt every substantial practical application of an abstract idea, law of nature or natural phenomena because it would in practical effect be a patent on the judicial exceptions themselves. Thus, claims 1-15 are not statutory.

6. Claims 1-15 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a specific or substantial asserted utility or a well established utility.

The invention does not provide a specific or substantial utility because it does not yield a specific, credible result.

Claims 1-15 are also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a specific or substantial asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Art Unit: 3623

8. Claims 1-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The subject matter of claim 1 relating to the integration system consists of vague terminology, for example, the "basic integration system which is *associated* with the computer system". Associated is not definitive with respect to the relation of the two components. Additionally, "connected by means of a *connection*" where being connected by a connection is not definitive as to how they are connected, "safeguards the *association* of a base element", line 15: "have access to real-time data" does not explain how it accesses the data, "the specific integration element is operationally connected to the business", and "this controls the goods production process/goods management process" where it is not clear how it is controlling the goods, these are some examples of phrases which are not described sufficiently nor claimed sufficiently.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-15 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a

Art Unit: 3623

manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Claim 1 does not provide a definitive description of the invention. For example, the use of the terms "intelligent control system", "basic integration system", "information technology-based manner" and "special interface" are vague and indefinite.

Claims 1-15 also recite the term "elementary factor". This term is also vague and indefinite and the specification fails to provide a meaning for this term. For the purposes of examination, this term is meant to mean an operational parameter.

Claims 1-15 further recite the limitation of "the connection element". There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites a limitation in prose when coupled with the prose limitations set forth in claim 1 render the claim vague and indefinite. It is unclear exactly what the language of this claim is reciting as the invention. For the purposes of examination, Examiner is interpreting that this claim is reciting functional language for the detection of managerial parameters that can be used by the system.

Claims 4 and 5 recite language that is vague and indefinite. It is unclear from the language in these limitations exactly what Applicants are attempting to claim as their invention. For the purposes of examination, Examiner is interpreting these claims to mean a compilation or aggregation of factors is performed and analyzed.

Claims 6 and 7 recite language that is vague and indefinite. It is unclear from the language in these claims exactly what Applicants are attempting to claim as their



Art Unit: 3623

invention. For the purposes of examination, Examiner is interpreting these claims to mean a process is available to handle redundancy.

Claim 8, 14 and 15 recites the term "the special interfaces I, II, III, IV, V, VI, VII".

There is a lack of antecedent basis for these terms.

Claim 9 recites language that is vague and indefinite. It is unclear from the language in these claims what Applicants are attempting to claim as their invention. For the purposes of examination, Examiner is interpreting claim 9 to mean displaying all pricing parameters.

Regarding claim 10, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 10 further recites "addresses element...in the form of data speech and images". It is unclear how the addresses element can be in the form of "data speech" and "images". For the purposes of examination, Examiner is interpreting this claim to merely include addresses' data.

Claim 13 recites the element processes includes interactions with addresses, articles, and conditions, and the further includes interactions between addresses, articles, and conditions. It is unclear how element processes can include interactions *with* addresses, articles, and conditions and then include interactions *between* addresses, articles, and conditions. For the purposes of examination, this claim is interpreted to mean element processes include interactions between addresses, articles, and conditions.

Art Unit: 3623

Claim 14 recites a first and second interface layer. Claim 14 further recites manipulations on an interface layer, without specifying which interface layer is being modified. This renders the claim vague and indefinite. For the purposes of examination, this limitation is interpreted to mean having a modular interface that does not impact the rest of the system.

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Beasley et al (US 4,827,423).

As per claim 1, Beasley teaches an electronic data processing system for business management, wherein the entire business process is integrated into the electronic data processing system (column 1, lines 40-41: “computer integrated manufacturing facility”), comprising: a computer system (See Figure 2A), an intelligent control system (column 1, line 50: “process control data” which is a control system. See Figure 2C item 158 “control system”), a goods production process/goods management process (See Figure 7), and a basic integration system (see column 1 line 39-41), comprising the computer system (see Figure 2A) and software (see column 10 lines 14-25) and is connected to the intelligent control system via a connect (see column 10 lines 14-25) and is connected to the goods production process/goods management process

Art Unit: 3623

(see column 10 lines 14-25) via a special interface (see column 10 lines 14-25; where a special computer levels and functions are used. These are the same as a special interface), where the basic integration system consists of a management software application and software (see column 10 lines 59-67 and column 11 lines 1-13), which secures allocation of a base element to individual business/business units (see column 10 lines 59-67 and column 11 lines 1-13; "records"), wherein information about the goods production process/goods management process is provided in real time to the computer system and to the intelligent control system (see column 39 lines 3-33), wherein said information is provided directly in the computer system and is provided in the intelligent control system via the connection in the form of data records (see column 11 lines 1-13 and column 39 lines 3-33), wherein said data records are converted into signals and conversely from signals into data records (see column 11 lines 1-13 and column 12 lines 24-38), which are provided with instructions by the intelligent control system for the goods process/goods management process (see column 11 lines 1-13 and column 12 lines 24-38), the coupling of which is carried out via the computer by means of a software layer and the connection element can be a component of the computer system integrated with the internal software (see Fig. 2A) and wherein the intelligent control system is operatively connected by means of the computer, the software layer and the connection element to the base integration system, to the specific integration element via the data connections to the individual business/business entity (see Figure 2A) in such a way that a performance potential of the individual business/business entity is identified by elementary factors and is provided as a data

Art Unit: 3623

record in the intelligent control system, and for profit-oriented and process-oriented management of the goods production process/goods management process (see column 37 lines 33-65; where performance measures are used.), which is determined by elementary factors, human workforce, resources, materials, retrievable, available information, and the combination capability thereof is influenced by a planning factor and an integration which becomes effective via the base element (see column 29 lines 5-19, column 30 lines 9-25, column 34 lines 49-57, and column 37 lines 33-44; where all manufacturing factors are taken in to consideration and integrated into a plan), wherein the base element can be attributed to the smallest components, which are also at the same time subsuming elements in the form of addresses, articles, conditions and process which have a mutual interaction and can be used one in exchange for another (see column 29 lines 5-19, column 30 lines 9-25, column 34 lines 49-57, and column 37 lines 33-44), performs a selection of instructions for positively influencing the goods production process/goods management process and by means of a data record this selection controls the good production process/goods management process in accordance with the previously named flow of data and operating conditions (see column 30 lines 9-67 and column 31 lines 1-18; where all of the elements are used as influences in the generation of a master production schedule.).

As per claim 2, Beasley teaches the electronic data system, which is incorporated company-wide, is networked via data connections (column 52, lines 40-56 where the system contains a Network Sender/Receiver communication system.).

As per claim 3, Beasley teaches through an electronic data processing-based integration of complex, heterogeneous individual businesses/business units by means of specific interfaces, an integration of the communication and standard software for presentation/interaction by means of specific interfaces into the managerial software application, an online and real-time detection of managerial parameters takes place by means of operational data collection units, and by means of interfaces, these parameters are organized as data, are stored and maintained in internal and external databases, are handled by means of processes of the implementation business models, and as results, are used to control the goods production process/goods management process (see column 37 lines 33-65; where performance measures are used. As noted in column 53, lines 43-50, the system allows the user to interface with the receiving system and obtain an Inventory Update of the material in question. This is equivalent to real-time detection as it performs an identical function in substantially the same manner with substantially the same results. The information with respect to inventory is stored in a database as indicated in column 53, line 26.).

As per claim 4, Beasley teaches the business model takes into consideration an integration as an additional elementary factor (As best determined by the Specification, the Examiner understands that the integration is a mere compilation of the various data of the factors. Beasley teaches this concept in column 10, lines 59-67 and column 11, line 1-12.).

As per claim 5, Beasley teaches the business management heterogeneous individual businesses/business units are each represented as base elements by means

Art Unit: 3623

of a logical model of integration (column 11, lines 13-23, where there is a system for the plant manager to perform various functions including a plant inventory control system and plant production data whereby the data is analyzed according to plant and corporate needs and each plant would represent a business/business unit.).

As per claim 6, Beasley teaches the base elements are uniformly limited across the business to a minimum number of elements, wherein the base elements ensure a redundancy-free depiction of the business characteristic values of the integration of the goods production process/goods management process in the respective business entities (column 9, lines 21-30 where the redundant node computers control the receiving and blending of information.).

As per claim 7, Beasley teaches the number of processes of the implemented business models is uniformly reduced to the elementary, fundamental processes among and within the elements of the base elements, whereby a minimum number of redundancy-free processes is ensured (column 9, lines 21-30 where the redundant node computers control the receiving and blending of information.).

As per claims 6-7, Beasley teaches company-wide, base elements are limited to a minimal number of elements to assure a non-redundant graphic representation of the managerial parameters of the integration of the goods production/goods management process in the business units (column 9, lines 21-30 where the redundant node computers control the receiving and blending of information.).

As per claim 8, Beasley teaches the interfaces are uniformly produced across the business by a system-independent shell structure (column 40, lines 28-36, where the user interface constitutes a shell structure).

As per claim 9, Beasley teaches by means of the addresses, internal and external, legal and natural persons and entities are uniformly depicted across the business, by means of the articles all relevant assets are depicted, by means of the conditions, all parameters relating to pricing are depicted, and by means of the processes all possible couplings between and within the elements are depicted (see column 37 lines 33-65; where performance measures are used. Pricing parameters are used in determining the optimal production plans.).

As per claim 13, Beasley teaches the element processes uniformly includes the business management interactions with the addresses, within the articles, within the conditions, between the addresses and articles, between addresses and conditions, between articles and conditions (See Figure 11 where it shows the interactions between the people, facilities/material, and production quantities. See also column 26, lines 62-68 and column 27, lines 1-36 where the Resource Capacity Planning (500) represents the requirements of the corporation which is equivalent to managerial interactions since it performs an identical function in substantially the same manner with substantially the same results. Figure 11 shows the interactions between the addresses, articles and conditions.).

As per claim 15, Beasley teaches a control message manager as a separate layer encompasses the presentation/interaction, the application, the data management

Art Unit: 3623

system, the high-level application interface and the interfaces I-VII, and this control message manager receives messages from the various modules and interfaces and forwards each of them to the addressed module, which processes the message (column 52, lines 39-46, where the Network Sender/Receiver communication software sends messages through the network to the appropriate work center where the schedule, for instance, is indicated for forwarding to another group.).

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 10-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beasley et al (US 4,827,423).

As per claim 10, Beasley teaches the addresses element uniformly includes: representatives, suppliers, clients, divisions, personnel, branches, headquarters (As indicated in claim 9, the addresses are the market participants which are equivalent to the marketing and business people that generate the plans as indicated in column 10, lines 26-39.). Beasley fails to explicitly teach "the address element uniformly includes: all persons, all market participants such as supplier, client, divisions, departments, personnel, including all location and name-related information in the form of data speech and images". The advantage of such a feature is that it enables the use of a completed data set for all persons' data collected. Official notice is taken that it is old



Art Unit: 3623

and well known that the marketing and business people at a company include, but is not limited to, the various divisions, branches and headquarters. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the operations management system of Beasley with the specific types of business people that would be involved in an operations environment to provide a listing of included types of business people in order to maintain complete data sets of all fields, including addresses, which is a goal of Beasley (see column 3 lines 52-67; where detail specific information for each record is maintained.).

As per claim 11, Beasley teaches the articles include: materials, operating materials, auxiliary materials, merchandise, retail articles, intermediate goods, equipment (As indicated in claim 9, the articles are the facilities and materials which are equivalent to the machines, people and material as indicated in column 10, lines 26-39). Beasley fails to explicitly teach "the articles element uniformly includes: all products as goods in the production process or in sales and also services and human workforce". Official notice is taken that it is old and well known that types of materials and facilities include retail articles, merchandise and operating materials. The advantage of such a feature is that it enables the accurate production of products based on the required materials. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the operations management system of Beasley with the specific types of facilities and materials that would be involved in an operations environment to provide a listing of included types of materials and facilities in order to enable the

Art Unit: 3623

accurate production of products based on the required materials, which is a goal of Beasley (see column 2 lines 8-60).

As per claim 12, Beasley teaches the conditions include: prices, discounts, surcharges, calculatory costs, rebates (As indicated in claim 9, the conditions represent the quantities of goods which is equivalent to the manufacturing capacity as indicated in column 10, lines 26-39). Beasley fails to teach "the conditions element uniformly includes the influences on the articles like physical quantities in a wide range of units and the quality and addressing conditions as influence factors". Official notice is taken that it is old and well known that conditions include price, discount, charges, rebates etc. The advantage of such a feature is that it enables the accurate production of products based on the required materials. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the operations management system of Beasley with the specific types of conditions that would be involved in an operations environment to provide a listing of included types of conditions in order to enable the accurate production of products based on the required materials, which is a goal of Beasley (see column 2 lines 8-60).

As per claim 14, Beasley teaches connection between a first and second interface layer, the individual modules of the shell structure of the interfaces each have two interface layer-specific components, which are connected via an internal interface layer that is uniform company-wide, as a result only one component has to be adapted. Beasley fails to explicitly teach "the individual modules of the shell structure of the interfaces I, II, III, IV, V, VI, VII each have two interface layer-specific components,

Art Unit: 3623

which are connected via an internal interface layer that is uniform company-wide, as a result of which in a required adaptation of a module of the interface to a changed interface, only one component has to be adapted". Official notice is taken that it is old and well known to have a modular interface that does not impact the rest of the system. The advantage of such a feature is that it facilitates the integration of the system. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the operations management system of Beasley with the modular interface to provide a means for easily adapting the interface throughout the company on various computer systems in order to facilitate the integration of the system, which is a goal of Beasley (see column 1 lines 64-67 and column 2 lines 1-2).

### ***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571)272-5880. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
kkd

  
C. MICHELLE TARAE  
PRIMARY EXAMINER